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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Cesar Echegoyen

Case: 2:19-mj-30392
Assigned To : Unassigned
Assign. Date : 7/23/2019
Description: CMP: USA v ECHEGOYEN (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 16, 2019 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

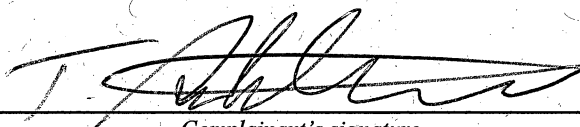
Title 8, United States Code, Section 1326(a)

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about July 16, 2019, in the Eastern District of Michigan, Southern Division, Cesar Echegoyen, an alien from El Salvador was found in the United States after having been denied admission, excluded, deported, and removed there from on or about February 4, 2014 and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☒ Continued on the attached sheet.



Complainant's signature

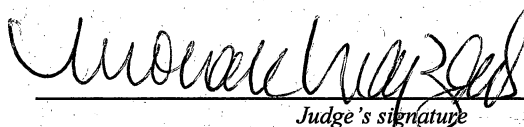
Todd Ankenbauer, Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: JUL 23 2019

City and state: Detroit, Michigan



Judge's signature

Mona K. Majzoub, United States Magistrate Judge

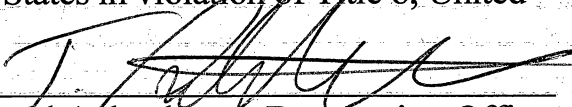
Printed name and title

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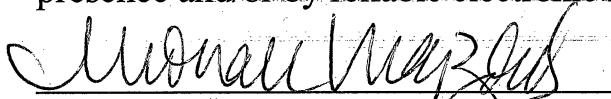
I, Todd Ankenbauer, declare the following under penalty of perjury:

1. I am a Deportation Officer with the United States Department of Homeland Security, Immigration & Customs Enforcement. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Immigration Enforcement Officers and record checks of law enforcement databases. I have also reviewed the immigration file and system automated data relating to Cesar ECHEGOYEN, which attests to the following:
2. ECHEGOYEN is a 39-year-old male, native and citizen of El Salvador, who last entered the United States at an unknown place, on an unknown date without being admitted, inspected or paroled by an Immigration Officer.
3. On July 5, 2005, ECHEGOYEN was arrested by the U.S. Border Patrol near Hidalgo, Texas, and processed for a Notice to Appear. On September 26, 2005, ECHEGOYEN was ordered removed in absentia by a designated immigration official at Harlingen, Texas.
4. On September 29, 2013, ECHEGOYEN was arrested by the White Lake Township Police Department for driving without a license. An ICE detainer was issued the same date. On September 30, 2013, ECHEGOYEN was taken into custody by ICE-ERO and processed as an ICE fugitive. On October 25, 2013, he was removed from the United States to El Salvador at New Orleans.
5. On December 11, 2013, ECHEGOYEN was encountered by the U.S. Border Patrol near Hidalgo, TX. ECHEGOYEN freely admitted to Border Patrol agents that he is a citizen of El Salvador who had illegally entered the United States after having been previously removed. ECHEGOYEN was placed under administrative arrest and processed for Reentry. On February 04, 2014, he was removed from the United States to El Salvador at San Antonio.
6. On October 7, 2018, ECHEGOYEN was arrested by the Oakland County Sheriff's Department for Burglary. ECHEGOYEN was convicted, on May 29, 2019, of Home Invasion 1st Degree in the 6th Circuit Court in Pontiac, Michigan and sentenced to a minimum of 16 months and a maximum of 20 years in prison.
7. On July 16, 2019, ECHEGOYEN was released from MDOC pursuant to Michigan Public Act 223 of 2010 and taken into custody by ICE-ERO.

8. ECHEGOYEN's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results revealed that ECHEGOYEN is a citizen of El Salvador who has been previously removed from the United States. The record checks did not provide any evidence that ECHEGOYEN legally entered the United States or had been issued any legal immigration document to allow him to enter or remain the United States.
9. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
10. Review of the Alien File (A# xxx xxx 289) for Cesar ECHEGOYEN and queries in U.S. Immigration & Customs Enforcement computer databases confirm no record exists of him obtaining permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal on February 4, 2014.
11. Based on the above information, I believe there is probable cause to conclude that Cesar ECHEGOYEN is an alien who was found in the United States after removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a)(1).


Todd Ankenbauer, Deportation Officer
U.S. Department of Homeland Security

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Mona K. Majzoub
United States Magistrate Judge